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DOCKET NO.: P00663.70022 (RMA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jesse Darley  
Serial No: 09/642,865  
Confirmation. No.: 8105  
Filed: August 21, 2000  
For: MONITORING ACTIVITY OF A USER IN LOCOMOTION ON FOOT  
Examiner: Hien Xuan Vo  
Art Unit: 2863

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 31st day of December, 2002.

Signature

Commissioner For Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith are the following documents:

- ☒ Information Disclosure Statement
- ☒ PTO Form 1449 with cited references
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

Please charge our Deposit Account No. 23/2825 in the amount of \$90.00 for the filing fee associated with this Information Disclosure Statement. If this fee is not sufficient, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,  
Jesse Darley, Applicant

By:

Robert M. Abrahamsen, Reg. No.: 40,886  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, Massachusetts 02210-2211  
Telephone: (617)720-3500

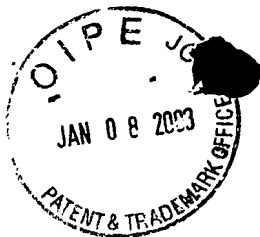
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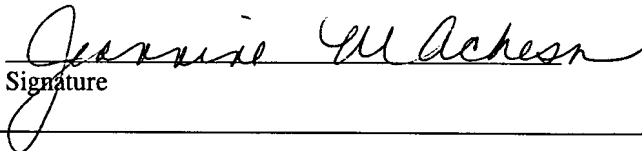
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Commissioner for Patents  
Washington, D.C. 20231

STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed more than three months after the filing date of this application and after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in this application.

The fee of \$90 as set forth in 37 C.F.R. §1.17(p) should be charged to Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Serial No.: 09/642,865

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Respectfully submitted,  
Jesse Darley, *Applicant*

By: 

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Boston, Massachusetts 02210-2211  
Telephone: (617) 720-3500

Docket No. P00663/70022 (RMA)

Date: December 31, 2002

**XNDDX**